THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26126 OF 2005

Dated 9th December 2005

Between:

G.L.Reddy S/o.Surender Reddy

…Petitioner

And

The Regional Manager,

APSRTC, Karimnagar Region, Karimnagar & others

…Respondents

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O R D E R:

The petitioner is employed as conductor in the APSRTC. His services were regularized, vide office order, dated 27.10.1985. Thereafter, he was removed from service, after conducting departmental enquiry. The petitioner challenged the same, by filing I.D.No.390 of 1987, before the Labour Court, Godavarikhani. Through award, dated 30.8.1989, the Labour Court directed reinstatement of the petitioner, and extended the other attendant benefits, as well as continuity of service. It denied back wages.

Petitioner was reinstated into service, on the basis of the award of the Labour Court. The grievance of the petitioner is that though he stood regularized way back in the year 1985, the respondents passed an order dated 23.10.1991, regularizing his service once again, as though he was continuing on temporary basis. Petitioner states that he made several representations for correction of the anomaly, and complains that no action has been taken thereon. He has drawn the attention of this Court to an office order dated 4.3.2005, where under, a similar anomaly is said to

have been rectified.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondents.

The service of the petitioner, as conductor, was regularized, through orders dated 27.10.1985. However, he came to be removed from service. and the Labour Court directed his reinstatement, apart from directing continuity of service and other attendant benefits. In that view of the matter, he is entitled to be treated, as though he was never removed at all. That being the case, the respondents regularized the service of the petitioner, through office order dated 23.10.1991, along with the other conductors, proceeding on the assumption that the service of the petitioner, before that date, was temporary in nature. Such a step does not appear to be proper, unless there existed any other reasons. For this purpose, the representation made by the petitioner has to be considered and the respondents have to pass appropriate orders.

The writ petition is disposed of, permitting the petitioner to make an appropriate representation to the first respondent, and the same shall be disposed of within a period of six weeks, from the date of submission. There shall be no order as to costs.

9th December 2005

Note: Issue C.C. in one week.

(B/o)

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